

REMARKS

This responds to the Office Action dated on April 17, 2006, and the references cited therewith.

Claims 8, 15, and 21 are amended, claims 1-7 are hereby canceled, without prejudice to the Applicants; as a result, claims 8-24 are now pending in this application.

Affirmation of Election

Restriction to one of the following claims was required:

- I. Claims 1-7, drawn to a method for receiving, generating, modifying and executing a search query, classified in class 707, subclass 101.
- II. Claims 8-24, drawn to a method for providing a search query comprising an API for receiving a search constraint and a control field identifier, classified in class 707, subclass 3.

As provisionally elected by Applicant's representative, James Stover, on April 4, 2006, Applicants elect to prosecute the invention of Group II, claims 8-24.

The claims of the non-elected invention, claims 1-7, are hereby canceled. However, Applicants reserve the right to later file continuations or divisions having claims directed to the non-elected inventions.

Specification

The disclosure was objected to due to an informality. Applicants have searched the original filed specification for the term "travel-logs" and have not found any such term that the Examiner purports to have been misspelled. Applicants respectfully request that the Examiner please provide the original Abstract that he Examiner is working with because no such term appears in Applicants' filed version. Applicants also authorize the Examiner to make the correction in spelling that the Examiner believes is necessary, since there is no such term in Applicants version of the filed specification and abstract.

The Abstract that the Applicants believe to be filed is reproduced below as:

Methods and systems provide automatic search generation capabilities. A search constraint and a control field identifier are received. A search generating module

generates a search that when executed returns records from a data store. The records satisfy the search constraint and have identical values for the control field identifier for unique customer identifications.

Applicants cannot find a misspelled word in the above-listed abstract. Applicants respectfully request clarification from the Examiner and in the absence of such clarification, the Applicants believe that the objection was an oversight on the part of the Examiner and not intended to be made with this particular application. Applicants believe this objection has been addressed and if not then Applicants request the Examiner provide the abstract in the next action for the Applicants to have a chance to properly address it, since Applicants do not believe that the present objection can be addressed in view of the above-filed abstract and comments from the Examiner that do not comport with the language presented above.

§112 Rejection of the Claims

Claims 8-14 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have redacted the term “if” from claim 8 and replaced it with “when.” Applicants believe that this addresses the Examiner’s concern with respect to the usage of “if” and that this rejection is no longer appropriate. Therefore, Applicants respectfully request that the rejections with respect to claims 8-14 be withdrawn.

§102 Rejection of the Claims

Claims 8-12, 15-18 and 21 were rejected under 35 U.S.C. § 102(e) as being anticipated by Brill et al. (U.S. Publication No. 2004/0254920). It is of course fundamental that in order to sustain an anticipation rejection that each and every step or element in the rejected claims must be taught or suggested in the cited reference.

Brill is directed to analyzing query logs for searches to find similar patterns; these patterns can then subsequently be used to augment searches and purportedly improve search results of searching. The reference paragraphs cited by the Examiner in support of a teaching that Brill automatically generates a search query refer to teachings in which the query log is

parsed for previous searches or previous components (strings) of previous searches and these are used as additional searching for subsequent searches to improve query results. What Brill does not teach or suggest is the ability to generate a new search that can be defined by a search constraint or control field in the manner positively recited in the independent claims.

That is, Brill parses existing searches and extracts them for use. Brill does not generate a new search and does not provide any teaching where the search constraint is defined as a search operator and operand and where the control field defines a field or a data store against which the new search query is executed. Brill simply uses already existing search queries and has no ability for a control field to constraint to be supplied in the manner cited and with the limitations cited.

Accordingly, Applicants respectfully request that the rejections with respect to Brill be withdrawn and the claims allowed.

§103 Rejection of the Claims

Claims 13 and 22-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Brill et al. (U.S. Publication No. 2004/0254920) in view of DeLorme et al. (U.S. Patent No. 5,948,040). Claim 13 is dependent from amended independent claim 8, claims 22-24 are dependent from amended independent claim 21; thus, for the amendments and remarks presented above with respect to claims 8 and 21, the rejections with respect to claims 13 and 22-24 should be withdrawn. Applicants respectfully request an indication of the same.

Claims 14 and 19-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Brill et al. (U.S. Publication No. 2004/0254920) in view of Chakraborti et al. (U.S. Patent No. 6,334,131). Claim 14 is dependent from amended independent claim 8 and claims 19-20 are dependent from amended independent claim 15; therefore, for the amendments and remarks presented above with respect to claims 8 and 15, the rejections with respect to claims 14 and 19-20 should be withdrawn. Applicants respectfully request an indication of the same.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 14-0225.

Respectfully submitted,

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By their Representatives,

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Date

07/17/06

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 17 day of July, 2006.

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